

ORIGINAL

FILED  
U.S. DISTRICT COURT  
NORTHERN DIST. OF TX  
FT. WORTH DIVISION

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS 2015 JUN -1 AM 10:16  
FORT WORTH DIVISION

CLERK OF COURT

UNITED STATES OF AMERICA

v.

GABRIEL POPA (1)

No. 4:15-CR-083-O  
(Supersedes Indictment Returned  
April 15, 2015)

SUPERSEDING INFORMATION

The United States Attorney Charges:

Count One  
Fraud in Connection with Access Devices  
(18 U.S.C. §§ 1029(a)(3) and (b)(1))

On or about December 11, 2014, in the Northern District of Texas, the defendant, **Gabriel Popa**, knowingly and with intent to defraud, attempted to possess fifteen or more unauthorized access devices, said possession affecting interstate commerce, to wit: **Popa** used a skimming device that he attached to an ATM machine at the Navy Federal Credit Union in Westworth Village, Texas, to collect more than 15 ATM, debit card, and credit card numbers from unsuspecting customers.

All done in violation of 18 U.S.C. §§ 1029(a)(3) and (b)(1).

Forfeiture Notice

- I. The allegations contained in Count One of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C §§ 982(a)(2)(B) and 1029(c)(1)(C).
- II. Upon conviction for the offense in violation of 18 U.S.C. §§ 1029 (a)(3) set forth in Count One of this Indictment, the defendant, Gabriel Popa, shall forfeit to the United States of America:
  - a. Pursuant to 18 U.S.C. § 982(a)(2)(B), any property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as the result of the Count One offense;
  - b. Pursuant to 18 U.S.C. § 1029(c)(1)(C), any personal property used or intended to be used to commit the offense.
- III. If any of the property described above, as the result of any act or omission of the defendants:
  - a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third party;
  - c. has been placed beyond the jurisdiction of the court;
  - d. has been substantially diminished in value; or
  - e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. §§ 928(b)(1) and 1029(c)(2) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described above.

JOHN R. PARKER  
ACTING UNITED STATES ATTORNEY

  
**JAY WEIMER**  
Assistant United States Attorney  
Texas State Bar No. 24013727  
801 Cherry Street, Suite 1700  
Fort Worth, Texas 76102  
Telephone: 817-252-5200  
Facsimile: 817-252-5455